

indicate whether a person was an active or inactive passholder.<sup>27</sup> As detailed below, the Independent Counsel concluded that the Secret Service was mistaken and the OPS employees were right.

On September 28, 1996, the House Committee issued an interim report, noting it had "yet to determine whether colossal incompetence or a sinister motive precipitated these events."<sup>28</sup>

**B. The Federal Bureau of Investigation Conducted an Internal Investigation of its Role in Providing Background Reports to Mr. Marceca.**

On June 5, 1996, FBI Director Louis J. Freeh ordered FBI General Counsel Howard Shapiro to conduct an immediate investigation into the FBI's role in the matter. The FBI's internal investigation focused solely on the actions of the FBI in connection with the release of background investigation reports to the White House.

**1. The FBI Has Historically Provided the White House and Others with Confidential Background Reports for Certain Specific Purposes.**

The FBI's investigative mission includes gathering, maintaining, and, when appropriate, disseminating sensitive

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<sup>27</sup> Gemmell 6/26/96 SJC Int. at 56; Marceca 6/11/96 Grand Jury ("GJ") at 12; Wetzl 6/17/96 HCGRO Depo. at 105-106 (testifying that she did not remember if the list had an "A" or "I" on it, but assumed that if the list distinguished between "A" and "I" she would have noticed).

<sup>28</sup> "Investigation into the White House and Department of Justice on Security of FBI Background Investigation Files: Interim Report," Comm. on Govt. Reform & Oversight, H. Rep. No. 104-862, 104th Cong, 2d Sess. (Sep. 28, 1996) at 3. The Senate Judiciary Committee did not issue any report regarding its investigation.